

HOUSE BILL 155

R4

11r0471

By: **Delegates Eckardt, Dwyer, Haddaway-Riccio, and Impallaria**

Introduced and read first time: January 26, 2011

Assigned to: Environmental Matters

A BILL ENTITLED

1 AN ACT concerning

2 **Vehicle Laws – Specially Constructed Vehicles – Titling and Registration**

3 FOR the purpose of clarifying that the Motor Vehicle Administration may issue
4 certificates of title for and register certain specially constructed vehicles;
5 providing for the registration classification for specially constructed vehicles;
6 establishing an annual registration fee for a specially constructed vehicle;
7 requiring an applicant for registration of a specially constructed vehicle to
8 certify that the vehicle will be used only according to certain standards;
9 requiring the Administration to issue a certain special registration plate for
10 specially constructed vehicles; exempting specially constructed vehicles from
11 certain equipment and inspection requirements; altering and expanding the
12 application of the defined term “specially constructed vehicle”; providing that
13 the defined term “vehicle” does not include specially constructed vehicles for the
14 purpose of certain inspection requirements; and generally relating to the titling
15 and registration of specially constructed vehicles.

16 BY adding to

17 Article – Transportation
18 Section 11–159.1, 13–937.2, and 23–206.2(c)
19 Annotated Code of Maryland
20 (2009 Replacement Volume and 2010 Supplement)

21 BY repealing and reenacting, without amendments,

22 Article – Transportation
23 Section 13–101.1, 13–402(a)(1), and 23–101(a)
24 Annotated Code of Maryland
25 (2009 Replacement Volume and 2010 Supplement)

26 BY repealing and reenacting, with amendments,

27 Article – Transportation
28 Section 13–104.2, 22–101(e)(1), 23–101(i)(3), and 23–206.2(c)

EXPLANATION: CAPITALS INDICATE MATTER ADDED TO EXISTING LAW.

[Brackets] indicate matter deleted from existing law.



1 Annotated Code of Maryland
2 (2009 Replacement Volume and 2010 Supplement)

3 SECTION 1. BE IT ENACTED BY THE GENERAL ASSEMBLY OF
4 MARYLAND, That the Laws of Maryland read as follows:

5 **Article – Transportation**

6 **11–159.1.**

7 **“SPECIALLY CONSTRUCTED VEHICLE” MEANS A MOTOR VEHICLE THAT:**

8 **(1) IS REQUIRED TO BE REGISTERED UNDER § 13–937.2 OF THIS**
9 **ARTICLE;**

10 **(2) WAS CONSTRUCTED FROM ANY COMBINATION OF NEW OR**
11 **USED PARTS;**

12 **(3) WAS NOT ORIGINALLY CONSTRUCTED BY A GENERALLY**
13 **RECOGNIZED VEHICLE MANUFACTURER; AND**

14 **(4) HAS NOT BEEN MATERIALLY ALTERED FROM ITS ORIGINAL**
15 **CONSTRUCTION.**

16 **13–101.1.**

17 Except as provided in § 13–102 of this subtitle, the owner of each vehicle that is
18 in this State and for which the Administration has not issued a certificate of title shall
19 apply to the Administration for a certificate of title of the vehicle.

20 **13–104.2.**

21 (a) (1) In this section the following words have the meanings indicated.

22 (2) “Essential parts” means all integral and body parts, whether new
23 or used, the removal, addition, alteration, or substitution of which would tend to
24 conceal the identity of the vehicle or substantially alter its appearance, model, type, or
25 mode of operation.

26 (3) “Reconstructed vehicle” means any vehicle that:

27 (i) Is of a type required to be registered under this title; and

28 (ii) Has been materially altered from its original construction by
29 the removal, addition, alteration, or substitution of essential parts.

1 [(4) “Specially constructed vehicle” means any vehicle that:

2 (i) Is of a type required to be registered under this title;

3 (ii) Was not originally constructed under a distinctive name,
4 make, model, or type by a generally recognized manufacturer of vehicles; and

5 (iii) Has not been materially altered from its original
6 construction.]

7 (b) If an application for a certificate of title is for a foreign vehicle previously
8 titled or registered in another state or country, for a reconstructed vehicle, or for a
9 specially constructed vehicle, the application also shall be accompanied by:

10 (1) Any information or documents the Administration reasonably
11 requires to establish the ownership of the vehicle and the existence or nonexistence of
12 security interests in it;

13 (2) Either:

14 (i) The certification of a person authorized by the
15 Administration stating that the vehicle identification number of the vehicle has been
16 inspected and found to conform to the description given in the application; or

17 (ii) Any other proof of the identity of the vehicle that the
18 Administration reasonably requires; and

19 (3) As to a foreign vehicle previously titled or registered in another
20 state or country:

21 (i) Any certificate of title issued by the other state or country;
22 or

23 (ii) If the other state or country does not issue a certificate of
24 title for vehicles of the type to which the application refers, a certified bill of sale and
25 any registration documents issued by that state or country.

26 13-402.

27 (a) (1) Except as otherwise provided in this section or elsewhere in the
28 Maryland Vehicle Law, each motor vehicle, trailer, semitrailer, and pole trailer driven
29 on a highway shall be registered under this subtitle.

30 **13-937.2.**

1 **(A) IF REGISTERED WITH THE ADMINISTRATION UNDER THIS SECTION,**
2 **EVERY SPECIALLY CONSTRUCTED VEHICLE IS A CLASS O (SPECIALLY**
3 **CONSTRUCTED) VEHICLE.**

4 **(B) FOR EACH CLASS O (SPECIALLY CONSTRUCTED) VEHICLE, THE**
5 **ANNUAL REGISTRATION FEE IS \$25.**

6 **(C) IN APPLYING FOR REGISTRATION OF A SPECIALLY CONSTRUCTED**
7 **VEHICLE UNDER THIS SECTION, THE OWNER OF THE SPECIALLY CONSTRUCTED**
8 **VEHICLE SHALL SUBMIT WITH THE APPLICATION A CERTIFICATION THAT THE**
9 **VEHICLE FOR WHICH THE APPLICATION IS MADE:**

10 **(1) WILL BE MAINTAINED FOR USE IN EXHIBITIONS, CLUB**
11 **ACTIVITIES, PARADES, TOURS, OCCASIONAL TRANSPORTATION, AND SIMILAR**
12 **USES; AND**

13 **(2) WILL NOT BE USED:**

14 **(I) FOR GENERAL DAILY TRANSPORTATION; OR**

15 **(II) PRIMARILY FOR THE TRANSPORTATION OF**
16 **PASSENGERS OR PROPERTY ON HIGHWAYS.**

17 **(D) ON REGISTRATION OF A VEHICLE UNDER THIS SECTION, THE**
18 **ADMINISTRATION SHALL ISSUE A SPECIAL REGISTRATION PLATE FOR**
19 **SPECIALLY CONSTRUCTED VEHICLES OF THE SIZE AND DESIGN THAT THE**
20 **ADMINISTRATION DETERMINES BY REGULATION.**

21 **(E) A VEHICLE REGISTERED UNDER THIS SECTION IS EXEMPT FROM:**

22 **(1) MOTOR VEHICLE EQUIPMENT STANDARDS AND**
23 **REQUIREMENTS UNDER THIS ARTICLE;**

24 **(2) INSPECTION REQUIREMENTS FOR THE TITLING AND**
25 **REGISTRATION OF A USED VEHICLE UNDER TITLE 23, SUBTITLE 1 OF THIS**
26 **ARTICLE; AND**

27 **(3) THE REQUIREMENTS OF THE EMISSIONS CONTROL PROGRAM**
28 **UNDER TITLE 23, SUBTITLE 2 OF THIS ARTICLE.**

29 22-101.

30 (e) (1) The provisions of this title with respect to equipment on vehicles do
31 not apply to farm equipment, road machinery, road rollers, [or] farm tractors, OR

1 **CLASS O (SPECIALLY CONSTRUCTED) VEHICLES**, except as made applicable in this
2 title.

3 23–101.

4 (a) In this subtitle the following words have the meanings indicated.

5 (i) (3) “Vehicle” does not include any Class L (historic) vehicle, **CLASS O**
6 **(SPECIALLY CONSTRUCTED) VEHICLE**, or [any] trailer which is a mobile home as
7 defined by § 11–134 of this article.

8 23–206.2.

9 (c) **A CLASS O (SPECIALLY CONSTRUCTED) VEHICLE IS EXEMPT FROM**
10 **THE MANDATORY INSPECTIONS REQUIRED BY THIS SUBTITLE.**

11 [(c)] (D) The Administrator may adopt regulations as necessary to
12 administer or enforce the provisions of this section.

13 SECTION 2. AND BE IT FURTHER ENACTED, That this Act shall take effect
14 October 1, 2011.